CAP. XXVIII.

An Act to render more simple and effectual the Titles by which Congregations or Societies for Purposes of Religious Worship or Education in *England* and *Ireland* hold Property for such Purposes. [15th *July* 1850.]

'WHEREAS it is expedient to render more simple and effectual the Titles by which Congregations or Societies associated together for the Purposes of maintaining Religious Worship or promoting Education in *England*, *Wales*, or *Ireland* may hold the Property required for such Purposes:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That wherever Freehold, Leasehold, Copyhold, or Customary Property in *England* or *Wales* has been or hereafter shall be acquired by any Congregation or Society or Body of Persons associated for Religious Purposes or for the Promotion of Education, as a Chapel, Meeting House, or other Place of Religious Worship, or as a Dwelling House for the Minister of such Congregation, with Offices, Garden, and Glebe, or Land in the Nature of Glebe, for his Use, or as a Schoolhouse, with Schoolmaster's House, Garden, and Playground, or as a College, Academy, or Seminary, with or without Grounds for Air, Exercise, or Recreation, or as a Hall or Rooms for the Meeting or Transaction of the Business of such Congregation or Society or Body of Persons, and wherever the Conveyance, Assignment, or other Assurance of such Property has been or may be taken to or in favour of a Trustee or Trustees to be from Time to Time appointed, or of any Party or Parties named in such Conveyance, Assignment, or other Assurance, or subject to any Trust for the Congregation or Society or Body of Persons, or of the Individuals composing the same, such Conveyance, Assignment, or other Assurance shall not only vest the Freehold, Leasehold, Copyhold, or Customary Property thereby conveyed or otherwise assured in the Party or Parties named therein, but shall also effectually vest such Freehold, Leasehold, Copyhold, or Customary Property in their Successors in Office for the Time being and the old continuing Trustees, if any, jointly, or if there be no old continuing Trustees, then in such Successors for the Time being wholly, chosen and appointed in the Manner provided or referred to in or by such Conveyance, Assignment, or other Assurance, or in any separate Deed or Instrument declaring the Trust thereof, or if no Mode of Appointment be therein set forth, prescribed, or referred to, or if the Power of Appointment be lapsed, then in such Manner as shall be agreed upon by such Congregation or Society or Body of Persons, upon such and the like Trusts, and with, under, and subject to the same Powers and Provisions, as are contained or referred to in such Conveyance, Assignment, or other Assurance, or in any such separate Deed or Instrument, or upon which such Property is held, and that without any Transfer, Assignment, Conveyance, or other Assurance whatsoever, anything in such Conveyance, Assignment, or other Assurance, or in any such separate Deed or Instrument, contained to the contrary notwithstanding: Provided always, that in case of any Appointment of a new Trustee or Trustees of or the Conveyance of the legal Estate in any such Property being made as heretofore was by Law required, the same shall be as valid and effectual to all Intents and Purposes as if this Act had not been passed.

Property conveyed for Religious or Educational Purposes to vest in Successors without Conveyance.

II. And be it enacted, That where such Property shall be of Copyhold or Customary Tenure, and liable to the Payment of any Fine, with or without a Heriot, on the Death or Alienation of the Tenant or Tenants thereof, it shall be lawful for the Lord or Lady of the Manor of which such Property shall be holden, on the next Appointment of a new Trustee or Trustees thereof, and at the Expiration of every Period of Forty Years thereafter, so long as such Property shall belong to or be held in trust for such Congregation or Society or Body of Persons or other Party or Parties to whom such Property may have been or shall be conveyed for their Benefit, to receive and take a Sum corresponding to the Fine and Heriot, if any, which would have been payable by Law upon the Death or Alienation

Providing for Payment in lieu of Fines on Death or Alienation of Property of Copyhold or Customary Tenure.

of the Tenant or Tenants thereof; and such Payments shall be in full of all Fines payable to the Lord or Lady of the Manor of which such Property is holden, while the same shall remain the Property or be held in trust for such Congregation or Society or Body of Persons; and the Lord or Lady of such Manor shall have all such Powers for the Recovery of such Sums as such Lord or Lady could have had in the event of the Tenant or Tenants of such Property having died or having alienated the same.

Appointment of new Trustees to be made appear by Deed.

III. And be it enacted, That for the Purpose of preserving Evidence of every such Choice and Appointment of a new Trustee or new Trustees, and of the Person and Persons in whom such Charitable Estates and Property shall so from Time to Time become legally vested, every such Choice and Appointment of a new Trustee or new Trustees shall be made to appear by some Deed under the Hand and Seal of the Chairman for the Time being of the Meeting at which such Choice and Appointment shall be made, and shall be executed in the Presence of such Meeting, and attested by Two or more credible Witnesses, which Deed may be in the Form or to the like Effect of the Schedule to this Act annexed, or as near thereto as Circumstances will allow, and may be given and shall be received as Evidence in all Courts and Proceedings in the same Manner and on the like Proof as Deeds under Seal, and shall be Evidence of the Truth of the several Matters and Things therein contained.

Act extended to Ireland.

IV. And be it enacted, That the Provisions of this Act shall extend to that Part of the United Kingdom called *Ireland*.

Act may be amended, &c.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament, except so far as the contrary shall be made to appear.

SCHEDULE to which this Act refers.

MEMORANDUM of the Choice and Appointment of new Trustees of the [*describe the Chapel, School, or other Buildings and Property*] situate in the Parish [*or Township*] of in the County [*Riding, Division, City, or Place*] of at a Meeting duly convened and held for that Purpose [*in the Vestry of the said Chapel*] on the [*25th*] Day of [*April 1850*], *A.B.* of Chairman.

Names and Descriptions of all the Trustees on the Constitution or last Appointment of Trustees made the Day of .

Adam Bell of
Charles Dixon of
Edward Foster of
George Hurst of
John Jackson of
Kenneth Lucas of
Matthew Norman of
Octavius Parker of

Names and Descriptions of all the Trustees in whom the said [*Chapel*] and Premises now becomes legally vested.

First.—Old continuing Trustees:—

John Jackson, now of
Matthew Norman, now of
Octavius Parker, now of

Second.

Second.—New Trustees now chosen and appointed:—
Benjamin Adams of
Charles Bell of
Jonathan Edmonds of
Richard Baxter of
John Home of

Dated this Day of

William Hicks, (L.S.)
Chairman of the said Meeting.

Signed, sealed, and delivered by the said *William Hicks*, as Chairman of the said Meeting, at and in the Presence of the said Meeting, on the Day and Year aforesaid, in the Presence of
C.D.
E.F.

[*The Blanks and Parts in Italics to be filled up as the Case may be.*]

CAP. XXIX.

An Act to amend the Laws concerning Judgments in *Ireland*. [15th *July* 1850.]

'WHEREAS by an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for facilitating the Appointment of Sheriffs in* Ireland, *and the more effectual Audit and passing of their Accounts; and for the more speedy Return and Recovery of Fines, Fees, Forfeitures, Recognizances, Penalties, and Deodands; and to abolish certain Offices in the Court of Exchequer in* Ireland; *and to amend the Laws relating to Grants in custodiam and Recovery of Debts in* Ireland; *and to amend an Act of the Second and Third Years of His present Majesty, for transferring the Powers and Duties of the Commissioners of Public Accounts in* Ireland *to the Commissioners for auditing the Public Accounts of* Great Britain, it was enacted, that it should be lawful for any Person entitled to sue out or who had already sued out a Writ of Elegit upon any Judgment recovered in any of His Majesty's Courts at *Dublin*, or to issue or who had issued Execution in any Suit or Proceeding on any Recognizance there, to apply by Petition to the Court of Chancery, or to the Court of Exchequer at the Equity Side thereof, for an Order that a Receiver might be appointed of the Rents and Profits of the entire, and not of a Moiety only, of all Lands, Tenements, or Hereditaments which he would be entitled to have extended or appraised under a Writ of Elegit, or extended, seized, or taken under a Writ of Levari facias, or other Proceeding on such Recognizance, or to have a Receiver thereof appointed by that Court extended to that Matter, and it should be lawful for the Court to appoint or extend a Receiver accordingly over the whole thereof, or over so much thereof as should appear to it sufficient for the Purposes of paying the Sum due on such Judgment or Recognizance: And whereas by an Act passed in the Fourth Year of Her Majesty's Reign, intituled *An Act for abolishing Arrest on Mesne Process in Civil Actions, except in certain Cases, for extending the Remedies of Creditors against the Property of Debtors, and for the further Amendment of the Law and the better Advancement of Justice, in* Ireland, it was enacted, that it should be lawful for the Sheriff or other Officer to whom any Writ of Elegit, or any Precept in pursuance thereof, should be directed at the Suit of any Person, upon any Judgment which at the Time appointed for the Commencement of that Act should have been recovered or should be thereafter recovered in any Action in any of Her Majesty's Superior Courts at *Dublin*, to make and deliver Execution unto the Party in that Behalf suing of all such Lands, Tenements, Rectories, Tithes, Rents, and Hereditaments, including Lands and Hereditaments which might be of Copyhold Tenure, as the Person against whom Execution was so sued, or any Person in trust for him, should have been seised or possessed of at the Time of entering up the said Judgment or at any Time afterwards, or over which such Person should at the Time of entering up such Judgment or at any Time afterwards have any disposing

5 & 6 W. 4. c. 55.

3 & 4 Vict. c. 105.

'Power